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MAA, SHALONG
P.O. BOX 600118
DALLAS, TX 75360-0118

EXAMINER

VAN HANDEL, MICHAEL P

ART UNIT PAPER NUMBER

2617

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Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No. 09/919,187	Applicant(s) MAA, SHALONG	
	Examiner Michael Van Handel	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 13-30, 33-34 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 13-30, 33-34 is/are rejected.
- 7) ☒ Claim(s) 16, 24 is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 7/30/2001 is/are: a) ☐ accepted or b) ☒ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|--|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date ____ | 6) <input type="checkbox"/> Other: ____ |

DETAILED ACTION

Response to Amendment

1. This action is responsive to an Amendment filed 8/26/2005. Claims **1-12, 31-32** are cancelled. Claims **13-30** are amended. Claims **33-34** are new. The examiner hereby withdraws the objection to the specification in light of the amendment.

Response to Arguments

2. Applicant's arguments filed 8/12/2005 with respect to the drawings have been fully considered but they are not persuasive.

Regarding the objection to the drawings, the applicant argues, "a drawing is not even necessary for the understanding of the claimed subject matter." The examiner respectfully disagrees. 35 U.S.C. § 113 states that "the applicant shall furnish a drawing where necessary for the understanding of the subject matter sought to be patented." The examiner acknowledges the fact that the present Application includes more than one method claim; however, none of the method claims appear to be related to the claimed buy button or online identity-authentication and purchasing application. Further, as mentioned in the rejection under 35 U.S.C. § 112, the applicant fails to mention either of the aforementioned entities in the specification. Thus, the scope of the claimed buy button and online identity-authentication and purchasing application as claimed are left to conjecture.

3. Applicant's arguments filed 8/12/2005 with respect to claim **16** have been fully considered but they are not persuasive.

Regarding the rejection of claim **16** under 35 U.S.C. § 112, the applicant argues that the examiner did not state in the Office Action that the claim language itself does not constitute a

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clear disclosure or does not properly define the invention. The examiner respectfully disagrees.

Claim 16 was rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure, which is not enabling. The examiner notes that claims are part of the disclosure of an invention. As such, the examiner notes that the disclosure does not properly define the invention, as described in claim 16.

4. Applicant's arguments filed 8/12/2005 with respect to claims **13-23** have been fully considered, but are considered moot in view of the new grounds of the rejection.

5. Applicant's arguments filed 8/12/2005 with respect to claims **24-26, 28** have been fully considered but they are not persuasive.

Regarding the rejection of claim **24** under 35 U.S.C. § 102, the applicant argues that, in Kelly et al., the process of obtaining a URL relating to a TV event comprises two or more steps. Further, the applicant argues that the "Go" button of Kelly et al. is not related to the technical concept of bookmarking a "current TV event." The examiner acknowledges the fact that Kelly et al. discloses the process of obtaining a URL relating to a TV event as comprising two or more steps; however, a recitation of the intended use of the claimed invention must result in a structural difference between the claimed invention and the prior art in order to patentably distinguish the claimed invention from the prior art. If the prior art structure is capable of performing the intended use, then it meets the claim. In this particular case, the examiner notes that if a user bookmarks a TV event and activates the "Go" button soon thereafter, the user performs the function of bookmarking a "current TV event" if performed before a television event (a program, for example) has ended. Therefore, Kelly et al. meets the limitations of the claim.

Claims 25, 26, and 28 are dependant on claim 24, and were argued on this basis.

Drawings

2. The drawings are objected to under 37 CFR 1.83(a). The drawings must show every feature of the invention specified in the claims. Therefore, the buy button of claim 16 must be shown or the feature(s) canceled from the claim(s). No new matter should be entered.

Corrected drawing sheets in compliance with 37 CFR 1.121(d) are required in reply to the Office action to avoid abandonment of the application. Any amended replacement drawing sheet should include all of the figures appearing on the immediate prior version of the sheet, even if only one figure is being amended. The figure or figure number of an amended drawing should not be labeled as "amended." If a drawing figure is to be canceled, the appropriate figure must be removed from the replacement sheet, and where necessary, the remaining figures must be renumbered and appropriate changes made to the brief description of the several views of the drawings for consistency. Additional replacement sheets may be necessary to show the renumbering of the remaining figures. Each drawing sheet submitted after the filing date of an application must be labeled in the top margin as either "Replacement Sheet" or "New Sheet" pursuant to 37 CFR 1.121(d). If the changes are not accepted by the examiner, the applicant will be notified and informed of any required corrective action in the next Office action. The objection to the drawings will not be held in abeyance.

Claim Objections

1. Claim 16 is objected to because of the following informalities:

The second and third lines of the claim, as amended, state "... a buy button for activating an online identity-authentication and a purchasing applications of said Internet-enabled client

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computer.” The examiner recommends that the language be changed to read “... a buy button for activating online identity-authentication and purchasing applications of said Internet-enabled client computer.” The examiner assumes that the necessary changes will be made and addresses claim 16 as such.

Appropriate correction is required.

2. Claim 24 is objected to because of the following informalities:

The statement “a handheld remote control device for control of any other components of the entertainment system by a user” is indefinite. The examiner notes that the applicant must define which components the remote control can control. The examiner assumes that the necessary changes will be made and addresses this portion of claim 24 in its original context.

Appropriate correction is required.

Claim Rejections - 35 USC § 112

3. The following is a quotation of the first paragraph of 35 U.S.C. 112:

The specification shall contain a written description of the invention, and of the manner and process of making and using it, in such full, clear, concise, and exact terms as to enable any person skilled in the art to which it pertains, or with which it is most nearly connected, to make and use the same and shall set forth the best mode contemplated by the inventor of carrying out his invention.

4. Claim 16 is rejected under 35 U.S.C. 112, first paragraph, as based on a disclosure, which is not enabling. A description of the buy button and online identity-authentication and purchasing application is critical or essential to the practice of the invention, but is not enabled by the disclosure. See *In re Mayhew*, 527 F.2d 1229, 188 USPQ 356 (CCPA 1976).

In the claim rejections below, the examiner assumes that the necessary changes will be made and addresses claim 16 solely on his interpretation of the claim language.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

4. Claims **24-26, 28** are rejected under 35 U.S.C. 102(b) as being anticipated by Kelly et al.

Referring to claim **24**, Kelly et al. discloses a remote control 10 (handheld remote control device) that controls personal computing device 20 (col. 4, l. 56-61)(col. 5, l. 26-35)(Fig. 4)(Fig. 5) and a TV 32 (col. 5, l. 27-30)(Figs. 4, 5). The personal computing device 20 has a network connection or other means of on-line access to the Internet and other such networks 60 (col. 4, l. 61-63)(Fig. 4). The viewer bookmarks particular broadcast events and transfers the bookmarked events to a database 40. Database 40 generates a custom list of data for the user, which indicates bookmarks associated with the broadcast event. The list of data takes the form of a World Wide Web page on the Internet and is viewed with a generic www browser (interactive home entertainment system including a conventional home TV set, and Internet-enabled computer executing a web browser application, and a handheld remote control device for control of the entertainment system by a user)(computer-implemented method for providing interactive TV content associated with a current TV program displayed on a TV set, the method comprising the steps of:

- in response to receiving a wireless bookmark signal transmitted from the remote control device, the wireless bookmark signal representative of the user's activation of a single bookmark button on the remote control device (the examiner notes that

the wireless signal sent via the “Go” button sends information that is dependent upon the user’s previous activation of the bookmark button),

- requesting a web content associated with the current TV event from a designated web site, and
- receiving the web content associated with the current TV event from the designated web site)(col. 2, l. 37-67 and col. 3, l. 1-28)(Figs. 1, 4).

Referring to claim 25, Kelly et al. discloses a custom list of data for the user which indicates bookmarks associated with the broadcast event on a World Wide Web page, which the viewer can view with a www browser (step of receiving data file or data stream of the web content from the designated web site) (col. 3, l. 23-28).

Referring to claim 26, Kelly et al. discloses a custom list of data for the user in the form of a World Wide Web page on the Internet, which the viewer can view with a www browser, that indicates bookmarks associated with a broadcast event (web content includes at least one web page for providing information relating to a TV event, and where the step of receiving the web content further comprises the step of displaying the “at least one web page” on a web browser) (col. 3, l. 24-27).

Referring to claim 28, Kelly et al. discloses a personal computing device 20 that transmits an activity table 204 comprising AR entries via on-line service 60 to a central database 40. AT 204 is used to determine which data in database 40 should be retrieved and presented to the viewer. Database 40 then generates a custom list of data for the user, which indicates bookmarks associated with the broadcast event in the form of a World Wide Web page on the Internet. The viewer can view these with a www browser (step of sending a request, via the Internet, to the

web site for requesting from the web site the web content associated with the current TV event)(col. 3, l. 4-28)(Figs. 1, 4).

Claim Rejections - 35 USC § 103

5. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

6. Claims **13-15, 18-20, 30, 33-34** are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al.

Referring to claim **13**, Kelly et al. discloses a remote control 10 (handheld remote control device) that controls personal computing device 20 (col. 4, l. 56-61)(col. 5, l. 26-35)(Fig. 4)(Fig. 5). The personal computing device 20 has a network connection or other means of on-line access to the Internet and other such networks 60 (Internet-enabled client computer)(col. 4, l. 61-63)(Fig. 4). The viewer bookmarks particular broadcast events and transfers the bookmarked events to a database 40. Database 40 generates a custom list of data for the user, which indicates bookmarks associated with the broadcast event. The list of data takes the form of a World Wide Web page on the Internet and is viewed with a generic www browser (Internet-enabled computer executing a web browser application, said web browser including a conventional bookmark function for organizing a listing of URLs that are provided for linking to a user's favorite web pages)(col. 2, l. 37-67 and col. 3, l. 1-28)(Figs. 1, 4). Remote control 10 comprises basic components as in conventional remote controls and thus provides the traditional operations of

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other conventional remote controls together with event marking button 15 (handheld remote control comprising:

- a casing having an exterior surface (inherent to remote control);
- a user input assembly disposed on the exterior surface of said casing (inherent to remote control)
- a transmitter circuitry situated within said casing and coupled to said user input assembly for generating and transmitting to a selected device of the multimedia system electromagnetic command signals representative of the user's operations of the user input assembly of the remote control device (inherent to remote control)
- said user input assembly including a bookmark key for causing said web browser to add a bookmark linking to a web content (col. 2, l. 37-59, 66-67 and col. 3, l. 1-28)(Figs. 1, 4))(col. 5, l. 13-18)(Fig. 5).

Kelly et al. does not specifically disclose that the bookmark key causes a web browser to add a bookmark linking to a web content identified by a URL to the bookmark URL listing of the browser in response to the user's activation of bookmark key; however, Kelly et al. was aware of pull-down bookmark menus existing in typical net browsers (col. 1, l. 34-41). Therefore, it would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Kelly et al. to add a bookmark linking to a web content identified by a URL to the bookmark URL listing of a browser in response to pressing a bookmark key in order to provide a user-friendly, automated system to "bookmark" TV broadcast events and the URLs associated with these events for subsequent viewer use (col. 1, l. 41-45).

Referring to claim 14, Kelly et al. discloses that remote control 10 further controls a TV 32 (col. 5, l. 27-30)(Figs. 4, 5) and that broadcast events can be bookmarked by a viewer. When the viewer is ready to browse the websites associated with the selected broadcast events, personal computing device 20 transmits activity table 204 via on-line service 60 to a central database 40. Database 40 then generates a custom list of data for the user, which indicates bookmarks associated with the broadcast event, in the form of a World Wide Web page on the Internet (multimedia system further comprises a TV subsystem, and wherein the web content identified by the URL is associated with a current TV event (the examiner notes that in the system of Kelly et al., the user can press the "Go" button at any time subsequent to pressing the bookmark button. If the user were to press the "Go" button directly after pressing the bookmark button, the retrieved list of network addresses would be associated with the current TV event), but received via the TV subsystem)(col. 3, l. 4-28)(Figs. 1, 4).

Referring to claim 15, Kelly et al. discloses that remote control 10 further controls a TV 32 (col. 5, l. 27-30)(Figs. 4, 5) and that remote control 10 comprises similar basic components as in conventional remote controls and thus also provides the traditional operations of other conventional remote controls (multimedia media system further comprises a TV subsystem, and the user input assembly of the remote control device further comprises TV-control buttons for providing conventional TV-remote-control operations)(col. 5, l. 14-17)(Fig. 5).

Referring to claim 18, Kelly et al. discloses a system for bookmarking viewer selected TV broadcast events and displaying a set of associated Internet locations or website hotlinks (method of providing interactive content through a multimedia computer executing a web browser application), comprising:

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- pressing a bookmark button 15 on remote control 12 to bookmark a particular broadcast event (receiving an electromagnetic bookmark signal transmitted from a handheld remote control device in response to a user activating a single bookmark button of the remote control device) (col. 2, l. 54-59)
- generating a custom list of data for the user which indicates bookmarks associated with the broadcast event on a World Wide Web page, which the viewer can view with a www browser (col. 3, l. 23-28).

Kelly et al. does not specifically disclose adding a bookmark linking to a web content identified by a URL to the web browser's bookmark URL listing; however, Kelly et al. was aware of pull-down bookmark menus existing in typical net browsers (col. 1, l. 34-41). Therefore, it would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Kelly et al. to add a bookmark linking to a web content identified by a URL to the bookmark URL listing of a browser in response to pressing a bookmark key in order to provide a user-friendly, automated system to "bookmark" TV broadcast events and the URLs associated with these events for subsequent viewer use (col. 1, l. 41-45).

Referring to claim 19, Kelly et al. discloses a custom list of data for the user in the form of a World Wide Web page on the Internet that indicates bookmarks associated with a broadcast event (web content is associated with a current TV event (the examiner notes that in the system of Kelly et al., the user can press the "Go" button at any time subsequent to pressing the bookmark button. If the user were to press the "Go" button directly after pressing the bookmark button, the retrieved list of network addresses would be associated with the current TV event)) (col. 3, l. 24-27).

Referring to claim **20**, Kelly et al. discloses a custom list of data for the user in the form of a World Wide Web page on the Internet that indicates bookmarks associated with a broadcast event (web content includes at least one web page for providing information relating to a TV program) (col. 3, l. 24-27).

Referring to claim **30**, Kelly et al. discloses select button 15 on remote control 12. When the viewer presses select button 15, an AR entry is stored in the AT 204. When the viewer has finished selecting broadcast events, AT 204 is stored into a network access device 21 in personal computing device 20. When the viewer is ready to browse the websites associated with the bookmarked events, personal computing device 20 transmits AT 204 via on-line service 60 to central database 40. Database 40 generates a custom list of data for the user which indicates bookmarks associated with the event in the form of a World Wide Web Page, which can then be viewed with a www browser (col. 2, l. 55-59, 66-67 and col. 3, l. 1-28)(Fig. 1). Kelly et al. does not specifically disclose the step of adding a bookmark linking to the web content identified by a URL to the web browser's bookmark URL listing; however, Kelly et al. was aware of pull-down bookmark menus existing in typical net browsers (col. 1, l. 34-41). Therefore, it would have been obvious to one of ordinary skill in the art at the time that the invention was made to modify Kelly et al. to add a bookmark linking to a web content identified by a URL to the bookmark URL listing of a browser in response to pressing a bookmark key in order to provide a user-friendly, automated system to "bookmark" TV broadcast events and the URLs associated with these events for subsequent viewer use (col. 1, l. 41-45).

Referring to claims **33** and **34**, Kelly et al. discloses generating website hotlinks for allowing the user to access websites associated with TV broadcast events (col. 2, l. 37-41)(col. 5, l. 56-67).

9. Claim **16** is rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al. in view of Yuen.

Referring to claim **16**, Kelly et al. discloses a remote control 10 that controls a personal computing device 20 and a TV 32 (Fig. 4). Kelly et al. does not disclose that the user input assembly of the handheld remote device comprises a buy button for activating an online identity-authentication and purchasing application of the Internet-enabled computer. Yuen discloses a system for communicating information from a television viewer to a central site. The system includes a Remote Control Unit 24 with a BUY button 28 (Fig. 1). If the viewer decides to purchase a product, at step 306 they press the BUY button (Fig. 6). At step 308, the Remote Control Unit 24 sends a signal that includes a unique code for the BUY button to a microprocessor 204. At step 310, the Microprocessor 204 combines the received BUY command with identification information of the viewer. At step 314, the command information is transferred to the Central Site. At step 316, the Central Site processes the BUY command and sends a confirmation message (col. 12, l. 14-54). It would have been obvious to anyone of ordinary skill in the art at the time that the invention was made to modify Kelly et al. to include a buy button on remote control 10 and to include an online identity-authentication and purchasing application activated by the buy button of remote control 10 such as that taught by Yuen in order to allow the viewer to easily order products advertised on television (col. 1, l. 31-35).

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10. Claims 17, 22, 23, 29 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al. in view of Palmer et al.

Referring to claim 17, Kelly et al. discloses a remote control 10 that controls a personal computing device 20 and a TV 32 (Fig. 4) and a list of data for the user which indicates bookmarks associated with a broadcast event in the form of a World Wide Web page on the Internet that is viewed by the viewer with a www browser (web content to be received by the web browser is provided by a web site)(col. 3, l. 23-28). Kelly et al. does not disclose that the web content is associated with a predetermined segment of a TV program. Kelly et al. also does not disclose that the transmission of the web content from the web site to the web browser is in synchronization with the broadcasting of a predetermined segment of TV program. Palmer et al. discloses a method and apparatus for connecting a computer to electronic addresses in sync with an audio/video broadcast (col. 5, l. 22-34). The radio and television stations provide a central office 70 with a schedule of programming and the associated URL's. In accordance with those schedules, the central office sends page requests via Internet at predetermined times (col. 5, l. 45-50). It would have been obvious to anyone of ordinary skill in the art at the time that the invention was made to modify Kelly et al. to include URL messages that are associated with television programming at a predetermined time and sent in sync with one another to the user's television 82 and computer 40 in order to allow the synchronous display of Internet content that is associated with broadcasting content (col. 1, l. 50-57).

Referring to claim 22, Kelly et al. discloses a system for bookmarking viewer selected TV broadcast events and displaying a set of associated Internet locations or website hotlinks (receiving, through the Internet, the web content from a web site). Kelly et al. does not disclose

that the web content being transmitted from the web site to the computer is transmitted in synchronization with the broadcasting of a TV program. Palmer et al. discloses a method and apparatus for connecting a computer to electronic addresses in sync with an audio/video broadcast. The radio and television stations provide a central office 70 with a schedule of programming and the associated URL's. In accordance with those schedules, the central office sends page requests via Internet at predetermined times (col. 5, l. 45-50). It would have been obvious to anyone of ordinary skill in art at the time that the invention was made to modify Kelly et al. to include URL messages that are associated with television programming at a predetermined time and sent in sync with one another to the user's television 82 and computer 40 in order to allow the synchronous display of Internet content that is associated with broadcasting content (col. 1, l. 50-57).

Referring to claim 23, Kelly et al. discloses generating a custom list of data for the user which indicates bookmarks associated with the broadcast event on a World Wide Web page, which the viewer can view with a www browser (step of receiving the web content data transmitted from the web site and displaying the web content on the web browser) (col. 3, l. 23-28).

Referring to claim 29, Kelly et al. discloses a personal computing device 20 that transmits an activity table 204 comprising AR entries via on-line service 60 to a central database 40, which then generates a custom list of data for the user, which indicates bookmarks associated with the broadcast event in the form of a World Wide Web page on the Internet. Kelly et al. does not disclose the step of retrieving the URL associated with the web content prior to the step of sending the request. Palmer et al. discloses a general computer 40 with a program that

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continuously monitors and/or polls receiver 30 to determine whether any pages have been received. When a page has been detected as received, the program tests the page to determine whether it includes a valid URL. If the message is a valid URL, the program stores the URL in memory. The processor 44 then causes modem 50 to connect computer 40 with an Internet Service Provider 60. The program sends the stored URL to Internet Service Provider 60 which allows computer 40 to receive information from and interact with the website associated with the URL (col. 4, l. 59-67 and col. 5, l. 1-9)(Fig. 1). It would have been obvious to modify Kelly et al. to include a system of sending URLs to personal computing device 20 in advance of accessing a web site such as that taught by Palmer et al. in order to decrease the processing time of a web site access request (col. 1, l. 50-57).

11. Claim 21 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al. in view of Kikinis.

Referring to claim 21, Kelly et al. discloses a system for bookmarking viewer selected TV broadcast events and displaying a set of associated Internet locations or website hotlinks. Kelly et al. does not disclose that the web content includes a stream of actuation-control data for controlling body part movement of an Internet-enabled talking doll coupled to and controlled by a multimedia computer. Kikinis discloses an interactive doll system 11 comprising a doll 13 adapted for bi-directional communication with a PC 15 (col. 5, l. 17-19)(Fig. 1). By way of peripheral connection, doll 13 acquires all of the computing and data power of the host. The host has an appropriate telephone modem and Internet operative software, giving the doll access to data and routines available on the Internet (col. 5, l. 32-34)(col. 7, l. 19-24)(col. 9, l. 20-25). The doll has controllable moving body parts and speech functions (col. 5, l. 56-67 and col. 6, l. 1-

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11)(Fig. 1). It would have been obvious to anyone of ordinary skill in the art at the time that the invention was made to modify Kelly et al. to include web content including control routines and data for body part movement and speech functions of a doll 13 coupled to personal computing device 20 such as that taught by Kikinis in order to portray broadcasting related content interactively through a computer controlled doll (col. 2, l. 35-45).

12. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Kelly et al. in view of Kikinis and further in view of Palmer et al.

Referring to claim 27, Kelly et al. discloses a system for bookmarking viewer selected TV broadcast events and displaying a set of associated Internet locations or website hotlinks. Kelly et al. does not disclose Web content that includes a stream of actuation-control data provided by a web site for controlling body part movement of an Internet-enabled talking doll coupled to and controlled by a computer, the stream of actuation-control data being transmitted from the web site to the computer in synchronization with the broadcasting of a TV program. Kikinis discloses an interactive doll system 11 comprising a doll 13 adapted for bi-directional communication with a PC 15 (col. 5, l. 17-19)(Fig. 1). By way of peripheral connection, doll 13 acquires all of the computing and data power of the host. The host has an appropriate telephone modem and Internet operative software, giving the doll access to data and routines available on the Internet (col. 5, l. 32-34)(col. 7, l. 19-24)(col. 9, l. 20-25). The doll has controllable moving body parts and speech functions (col. 5, l. 56-67 and col. 6, l. 1-11)(Fig. 1). Kelly et al. modified with Kikinis does not teach that the stream of actuation-control data being transmitted from the web site to the computer be in synchronization with the broadcasting of a TV program. Palmer et al. discloses a method and apparatus for connecting a computer to electronic addresses in sync

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with an audio/video broadcast (col. 5, l. 22-34). It would have been obvious to anyone of ordinary skill in the art at the time that the invention was made to modify Kelly et al. to include an interactive doll system 11 such as that taught by Kikinis and to further modify Kelly et al. and Kikinis to include a method and apparatus for connecting a computer to electronic addresses in sync with an audio/video broadcast such as that taught by Palmer et al. in order to portray broadcasting related content interactively through a computer controlled doll in sync with television programming (col. 2, l. 35-45).

Conclusion

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael Van Handel whose telephone number is 571.272.5968.

The examiner can normally be reached on Monday-Friday, 8:00am-5:30pm.


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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Chris Kelley can be reached on 571.272.7331. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Michael Van Handel
Examiner
Art Unit 2617

MVH


CHRIS KELLEY
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600